

West Virginia, Mr. BYRD, from 12 p.m. to 2 p.m.; and the Senator from Wyoming, Mr. THOMAS, or his designee from 2 p.m. until 3 p.m.

The Senator from West Virginia is recognized.

Mr. BYRD. I thank the Chair.

Mr. President, Alexander Hamilton spoke 6 hours at the Constitutional Convention. So I think I am in rather good company.

#### THE PLIGHT OF OUR NATION

Mr. BYRD. Mr. President, the great English novelist, Charles Dickens, began his epic novel, "A Tale of Two Cities," with these words, "It was the best of times, it was the worst of times. . . ."

Well over a century later, and a continent away from the writing of Dickens' story, those words could well describe the plight of our nation in the last year of the 20th century.

That is this century—the last year of the 20th century.

The United States has never been more affluent, in terms of material wealth and creature comforts, or more impoverished in terms of spiritual well-being. It is the best of times materially. It is the worst of times spiritually. Millions are made daily on Wall Street, American consumerism fuels booming international economic and trade markets, and our Nation's living standard is the envy of the world. We have eliminated our staggering deficits at home, at least on paper, and jobs are available for our people in abundance.

Yet, America is, in many ways, a hollow nation. We are a people on the edge of a precipice. Despite all of our economic prosperity, despite all of our fascination with the glittery toys that money can buy us, despite all of the accouterments of success and prosperity, so envied by the rest of the world, all of the material comforts we so enthusiastically chase, can never pacify the hunger beginning to emerge in our collective souls, nor even start to solve the endemic problems which crowd the dark corners of our national psyche.

Our children randomly slaughter each other in our schools, clothes are torn off of innocent women in a public park, smut crowds the airwaves, the traditional family structure continues to deteriorate, advertising reflects little but sexual innuendo and the desire for a mad rush to some materialistic nirvana, song lyrics are not fit for polite company, and even the barest mention of the existence of a Creator is castigated as inappropriate or viewed as the unbalanced ravings of the lunatic fringe.

We are a people seemingly in deep denial of our own humanity—in deep denial of our own unquenched inner need for meaning and purpose and direction in our lives. We have succumbed to the glossy promise of more, and more, and more, in a vain and pointless effort to

deny the one essential element which is so glaringly missing from our aimless, restless pursuit of prosperity.

Religion has all but vanished from our national life. Worse than that, religion is discouraged; religion is frowned upon. Religion is suppressed, spurred by what I believe is a misguided attempt to ensure a completely secular society and a gross misreading of constitutional intent. Oh, what ills are born when we forget our history! What ills are born when we forget our history!

This Nation was founded, in part, so that religion could freely flourish. The Constitution was written and ratified by men who possessed a strong spiritual awareness. These were not Godless men who wrote the Constitution of the United States. They had a spiritual awareness. The universal principles espoused in the Declaration of Independence in 1776, and other early American documents reflect aspirations, which are, at their core, based on a belief in a Supreme Being and on the existence of a human soul. What are these if not religious principles? Such lofty and spiritual beliefs as the bedrock equality of all humans,—as the bedrock equality of all humans—and the endowment by a Creator of basic rights cannot be secularized out of existence in a nation so rooted in a deep spiritual consciousness as is ours. Every single value upon which this country was so painstakingly built—individual sacrifice for the greater good, fairness, charity, truthfulness, morality, personal responsibility, honesty—all of these are, at root, qualities derived from Judeo-Christian teachings. To try to separate this nation from the religious grounding which it so obviously exhibits in every aspect of its history, is like trying to bifurcate muscle from bone. Dysfunction is the result—sterile bone which cannot move, and useless tissue with no support. That is what happens when spiritual values become separated from our national life.

Nowhere are the results of such an unfortunate rending more obvious, more destructive or more heart-breaking than in the evident damage we have done to our most precious commodity, our children. Millions of our innocents are lost in a maze of drugs, cheap sex, violence, and materialism. They are starving—starving—for lessons by which to live their lives, and what do we offer them? We offer them only hedonistic baubles. Love of pleasure, greed, gratification of sex, deification of the crude and the outrageous, and the selfish culture of Me, me, me, and More, more, more, are no guidelines on which to build a life or a character whether it be a nation or the individual. These are only empty distractions that lead down roads previously reserved for misfits and criminals. We must look hard at ourselves in the mirror each morning and ask what in the name of God we are coming to if we continue on this course? We are all at fault, all of us—the clergy for not

speaking out, the Church doesn't speak out like it used to when I was a boy.

The church took a strong stand on the great national issues. But the church, as so many of us, has been driven into a closet; so the clergy for not speaking out; the leaders of business in this country for looking only at profits; the leaders of both political parties for pandering—pandering. Most of the issues that plague us nationally—such as violence in our schools, inadequate health care for the weakest in our society, crime, greed in politics, all of these issues, all of them, are at their root—are issues of right and wrong, issues of morality.

Yet in order to avoid offending anyone—don't offend anyone; that is why so many of the colleges and schools have taken history out of the required courses, because history might offend somebody. It might offend some group—in order to avoid offending anyone or any group, we try to totally secularize our politics on the left and overly polarize our politics, with too much false piety, on the right. So both are in the wrong. The result is only endless power struggle and pandering to the various groups which keep us in power. As such, political power has become an end, not a means, and the leadership of this nation too often winds up pursuing solutions to the effects of our ills and ignoring their causes.

A prejudice against the influence of religious commitment and moral values upon political issues now characterizes almost every sector of American society from the media to law to academia. We have seen the Supreme Court rule, again and again, against allowing voluntary prayer in public school in this country. I believe that this ingrained predisposition against expressions of religious or spiritual beliefs is wrongheaded, destructive, and completely contrary to the intent of the Founders of this great nation. Instead of ensuring freedom of religion in a nation founded in part to guarantee that basic liberty, a literal suffocation of that freedom has been the result. The rights of those who do not believe in a Supreme Being have been zealously guarded, to the denigration, I repeat, denigration, of the rights of those who do so believe.

The American doctrine of separation of church and state—and you don't find that in the Constitution; it says nothing about separation of Church and State in the Constitution—forbids the establishment of any one religion by the state, but not, I repeat, not the influence of religious values in the life of the nation. Religious faith has always been an underpinning of American life.

One of the most perceptive of observers of the early American scene was Alexis de Tocqueville. Writing in the 1830's on his observations while traveling in America, de Tocqueville grasped the moral content of America. Coming from France where abuse of power by the clergy had made

anticlericalism endemic, he was amazed to find it virtually unknown in America.

De Tocqueville writes:

In France, I had almost always seen the spirit of religion and the spirit of freedom marching in opposite directions, but in America, I found they were intimately united, and that they reigned in common over the same country. . . . Religion . . . must be regarded as the first of their political institutions. . . .

He is talking about Americans in the 1830s. Let me say that again—DeTocqueville:

Religion . . . must be regarded as the first of their political institutions; for if it does not impart a taste for freedom, it facilitates the use of it.

He concluded that most Americans held religion,

to be indispensable to the maintenance of Republican institutions.

John Adams was the second President of the United States. He served as Vice President for 8 years under George Washington. He was a member of the Continental Congress, and a signer of the Declaration of Independence. He greatly influenced the States to ratify the new Constitution by writing a three-volume work, entitled, "A Defense of the Constitutions of the Government of the United States."

I like to go back to John Adams' work from time to time and just read it again. I recommend it to our people who are listening in this Chamber. One might say that, when it came to building the governmental structure of these United States, John Adams was in on the ground floor. In his diary entry dated February 22, 1756, John Adams wrote—listen to John Adams now:

Suppose a nation in some distant region should take the Bible for their only law book, and every member should regulate his conduct by the precepts there exhibited! Every member would be obliged in conscience to temperance, frugality, and industry; to justice, kindness, and charity towards his fellow men; and to piety, love, and reverence toward Almighty God. . . . What a Utopia, what a Paradise would this region be.

That was John Adams. Obviously, John Adams believed that moral precepts and Biblical teachings would be an ideal foundation on which to lay the government of a great nation.

On July 8, 1776, the Declaration of Independence was read publicly at the Continental Congress while the famous "Liberty Bell" was rung. Wouldn't you have liked to have been there? Congress then established a three-man Committee consisting of Thomas Jefferson, John Adams, and Benjamin Franklin, for the purpose of designing a great seal for the United States. What were Franklin's suggestions? Franklin's suggestions for a seal and motto characterizing the spirit of this new nation were—this is Franklin talking, not ROBERT C. BYRD:

Moses lifting up his wand, and dividing the red sea, and pharaoh in his chariot overwhelmed with the waters. This motto: "Rebellion to tyrants is obedience to God."

What did Thomas Jefferson propose? This is Thomas Jefferson talking, not ROBERT C. BYRD. Thomas Jefferson proposed:

The children of Israel in the wilderness, led by a cloud by day, and a pillar of fire by night.

Try as I may, I sense no hypersensitivity about absolute separation of religion and the government of the new country in these suggestions for symbols of our new nation. Would such men as Jefferson and Franklin have suggested such symbols if they intended for an absolute wall of separation to be erected between government and any sort of religious expression? I think not.

When it comes to current attitudes about the proper role of religion in America, the apple has fallen very far from the tree. In fact, our greatest leaders have shown no trepidation about God's proper place in the American panorama. I am talking about our greatest leaders. Every session of the U.S. House of Representatives and the United States Senate begins with a prayer. I heard the Chaplain pray today, and so did you. And each House, from the Nation's beginning, has had its Chaplain paid with Federal tax dollars. The Supreme Court of the United States begins each session only after a solemn pronouncement that concludes with "God save the United States and this Honorable Court."

So it is then, with almost total incredulity, that I read the continued pronouncements on the subject of prayer in school by our Supreme Court, which since 1962, has steadily chipped away at any connection between religion and the governmental sphere. How could such rulings be handed down time after time by learned men and women who are obviously familiar with the history of this nation, and with the faith-based grounding of our entire governmental structure? And recently we have this latest decision by the Supreme Court, involving voluntary student-led prayer at a Texas high school football game.

I don't attend football games. I have attended one in the 48 years that I have been in Washington, and I attended that only at halftime to crown the Queen; West Virginia and Maryland were playing. But even if I don't attend football games, there are people who do attend. And if it is their wish to have prayers, if the students in the band or on the football teams want to have prayer, more power to them.

On June 19, the highest court in our land ruled in a 6-3 decision that somehow this voluntary student-led prayer violated the Constitution's establishment clause.

Justice Stevens, writing for the majority opinion, said that even when attendance was voluntary and the decision to pray was made by students:

the delivery of a pregame prayer has the improper effect of coercing those present to participate in an act of religious worship.

What nonsense—nonsense. Such a pronouncement ignores a separate

First Amendment problem, in that it amounts to the censorship of religious speech in a governmental forum. What about the rights of those students who wish to pray, perhaps for the safety of their classmates? Such a ruling tramples on the Constitutional rights of those students in favor of some mythical possibility that coercion might be felt by someone.

In a dissenting opinion, Chief Justice William H. Rehnquist summed up the matter pretty nicely, I think, when he stated that the majority opinion "bristles"—bristles—"with hostility to all things religious in public life."

Mr. Chief Justice Rehnquist said it right: The majority opinion "bristles with hostility to all things religious in public life."

For that statement, the Chief Justice will always have my gratitude. He is eminently correct, and, of course, it took courage to say what he did. As everyone knows, I am no fan of amending the U.S. Constitution, and I believe it should be done only rarely and with great care. Certainly this year, an election year, is no year to try to pass a constitutional amendment on school prayer.

But I intend to implore the two major party candidates—and I do implore the two major party candidates—to seriously consider including a constitutional amendment in the nature of clarifying the intent of the framers in the area of prayer in school as part of both party platforms.

I have yet to read a party platform. Never read one. I have never read a Democratic Party platform or any other party platform, but there are many who do, and it is only natural the parties should have platforms. People expect them to have a platform to indicate where they stand on the great issues of the day. So I urge Mr. Bush and Mr. GORE to work to put the words in the party platforms urging that there be an amendment to clarify the intent of the framers in the area of prayer in school.

The intent of the framers was clearly only to keep the new government from endorsing or favoring one religion over another, but not from favoring a free exercise of religion over nonreligion. Certainly, it was never to prohibit voluntary expressions of a religious nature by our citizens.

Just what do we teach our children? Upon what do we base the most fundamental codes of society if we are not to base them on moral precepts and spiritual precepts? How can we lead our own people, how can we grapple with issues of right and wrong, or how can we continue to inspire downtrodden peoples from around the globe if we continue to deny and to sever our basic ties to faith-based principles?

Alarming, we are crafting a political secularism which does not reflect the views or practices of most Americans, the overwhelming majority of Americans. Consider these facts:

Nine Americans in 10 say they have never doubted the existence of God. Eight Americans in 10 say they believe they will be called

before God on Judgment Day to answer for their actions, their words, their deeds. Eight Americans in 10 say they believe God still works miracles, and he does.

One sits right over there in the chair. Here sits some up here. These are miracles. There are literally millions of things that could have happened to each of us, and we would never have been born or in being born we would have been confronted with many health problems. There are miracles every day.

Seven Americans in 10 believe in life after death. I do, and I daresay most, if not all, of the people in this Chamber do believe there is a life after death. What would there be to live for otherwise? Oh, you may laugh now, but wait until you are 82, as I am, and well on your way to 83. To what do you have to look forward to each day of your life which is fast ebbing? Yes, you will change your mind then.

How can the beliefs of such sizable sections of the American population totally escape the attention of politicians and educators? They are all going to die, too. Every one of them, and they are going to have to go out and meet God in eternity, which is a long, long, long time.

How could these statistics escape the nine members of the Supreme Court of the United States? Does the answer lie in the elitism that so permeates this arrogant capital city? Does theology tend to thin out as one gravitates toward the top of the socioeconomic scale, rather like the thinner air at the top of some elevated peak? Are we, indeed, witnessing the writing of a new "Tale of Two Cities" as we watch public policy diverge ever more dramatically from the views of the people and the plain-as-day record of our own documented history?

Power unchecked by moral insight, teaching untempered by spiritual values, government unenlightened by faith in a Creator—no city and no nation can sustain such a course. While we may distract ourselves for a time with the affluence that a booming economy provides, eventually there is a kind of nihilism in a society whose God is materialism—whose only God is materialism.

Look carefully around you at the culture of America today. Just stop and think for a moment. You do not even have to look around you. Stop and think for a moment about the culture of this country today. Note the banality of most public discourse, the lack of respect for authority, the absence of common civility, the crudeness of popular entertainment, the glorification of violence.

There is no map, there is no compass, there is no vision, and "Where there is no vision, the people perish."

Mr. President, the very first sentence of the first amendment to the Constitution of the United States—here is the Constitution; so small that it fits into a shirt pocket—the very first sentence of the first amendment to the

Constitution of the United States reads as follows: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; . . ." It seems to me that the U.S. Supreme Court, over the years, in its rulings on school prayer over the last 40 years has bent over backwards to enforce the first clause in that amendment dealing with an establishment of religion, but the Court has seemingly exhibited a strong bias against the equally important—the equally important—second part of the sentence. That sentence has two parts. And the second part is, I quote: ". . . or prohibiting the free exercise thereof; . . ."

In ruling after ruling, over the past 40 years the Court seems to be going farther and farther in the direction of prohibiting the free exercise of religion. In precedent after precedent, the Court, often by slim majorities, has seemed bent upon totally eradicating any semblance whatsoever of religious speech in our public schools, even when such speech is not in any way, shape, or form connected with an "establishment" of religion.

When I read the first amendment clause dealing with freedom of religion, the words of the amendment seem to strike a balance between an establishment of religion, on the one hand, and the free exercise of religion, on the other. But the Court seems determined to completely ignore, and thus obliterate, any right to a free exercise of religion in the public schools. No wonder many people take their children out of the public schools. I believe that the framers of the United States Constitution—yea, the founders of this Republic itself—would be appalled. Can you imagine what the founders—the framers, the people who framed the Constitution, the people who voted on the ratification of the Constitution—how they would feel? I believe they would be appalled at the Court's apparent drift over the last 40 years toward total secularism and away from any modicum of voluntary religious expression in the public schools of this country.

Now let us briefly reflect upon the impact of religion on the development of American constitutionalism. Let's go back. Let's go back over the decades, yea, even over the centuries, and reflect upon the impact of religion on the development of American constitutionalism. We will find that the roots of religion run deep. As one scholar, Donald S. Lutz, has noted—this is what he says—"The political covenants written by English colonists in America lead us to the church covenants written by Protestants in the late 1500's and early 1600's and these, in turn, lead us back to the Covenant tradition of the Old Testament." That is what he said. The American constitutional tradition derives in much of its form and content from the Judeo-Christian tradition—we can't avoid it; it is there; nothing can erase it; you can take all the history books out of the schools

that you want, but the fact remains that it is still there—the Judeo-Christian tradition as interpreted by the radical Protestant sects to which belonged so many of the original European settlers in British North America.

Lutz, in his work, entitled, "The Origins of American Constitutionalism," says this: "The tribes of Israel shared a covenant that made them a nation. American federalism originated at least in part in the dissenting Protestants' familiarity with the Bible'."

The early Calvinist settlers who came to this country from the Old World brought with them a familiarity with the Old Testament Covenants that made them especially apt in the formation of colonial documents and State constitutions.

Now, let me refer to Winton U. Solberg. He tells us that in 17th century colonial thought, divine law—a fusion of the law of nature in the Old and New Testaments—usually stood as fundamental law. The Mayflower Compact—how many of us like to claim that our forebearers were on the Mayflower? "Oh, they were there. They were on the Mayflower." Well, there was such a thing written as the Mayflower Compact.

The Mayflower Compact exemplifies the doctrine of covenant or contract. Puritanism exalted the biblical component and drew on certain scriptural passages for a theological outlook. Called the Covenant or Federal Theology, this was a theory of contract regarding man's relations with God and the nature of church and state.

If we examine the public political literature written between 1760 and 1805, the book most frequently cited in that literature is the Bible.

Let me say that again. If we examine the public political literature written between 1760 and 1805, the book most frequently cited in that literature is the Bible.

Saint Paul, the great apostle, is cited about as frequently as Montesquieu and Blackstone, the two most cited secular authors. Deuteronomy is cited almost twice as often as all of Locke's writings put together.

Many of the references to the Bible came from reprinted sermons, while other citations came from secular works. Saint Paul was the favorite in the New Testament, especially his Epistle to the Romans, in which he discusses the basis for, and limits on, obedience to political authorities. From the Old Testament, Deuteronomy was the most cited book, followed by Isaiah, Genesis, Exodus, and Leviticus. The authors most frequently referred to the sections about covenants and God's promises to Israel.

The movement towards independence found the clergy out in front—the movement toward independence in this country found the clergy out in front, not back in the closet; out in front—and the clergy were also most vigorous in maintaining morale during the Revolutionary War. When reading comprehensively in the political literature

of the war years, one cannot but be struck by the extent to which biblical sources used by ministers and traditional Whigs undergirded the justification for the break with Great Britain, the rationale for continuing the war, and the basic principles of Americans writing their own Constitutions at the State level.

Let us look at the Mayflower Compact, of November 11, 1620. Here is what they wrote:

In the name of God, Amen. We, whose names are underwritten, the loyal subjects of our dread sovereign Lord, King James, by the grace of God, . . . having undertaken, for the glory of God, and advancement of the Christian faith, . . . by these presents solemnly and mutually in the presence of God, and of one another, covenant and combine ourselves together into a civil body politick, for our better ordering and preservation and furtherance of the ends aforesaid; and by virtue hereof to enact, constitute, and frame such just and equal laws, ordinances, acts, Constitutions, and offices, from time to time, as shall be thought most . . . convenient for the general good of the colony unto which we promise all due submission and obedience. . . .

That was the Mayflower Compact. The authors of the Mayflower Compact had no hesitation about mentioning God, no hesitation about placing their lives in his hands and saying so. Now let us examine briefly "The Fundamental Orders of Connecticut." Here we will find many references to the Deity, in these orders which were adopted by a popular Convention of the three towns of Windsor, Hartford, and Wethersfield, on January 14, 1639, 361 years ago. The form, according to historians, was "the first written Constitution, in the modern sense of the term, as a permanent limitation on governmental power, known in history, and certainly the first American Constitution of government to embody the Democratic idea."

I shall quote the following references to the Deity from The Fundamental Orders of Connecticut: Forasmuch as it hath pleased the Almighty God by the wise disposition of his divine providence . . . ; "and well knowing where a people are gathered together the word of God requires that to maintain the peace and union of such a people, there should be an orderly and decent government established according to God, . . . ; " . . . to maintain and preserve the liberty and purity of the Gospel of our Lord Jesus which we now profess, . . . ; " . . . do swear by the great and dreadful name of the everlasting God, . . . ; " . . . so help me God, in the name of the Lord Jesus Christ . . . ; " . . . according to the righteous rule of God's word; so help me God, and so forth."

Now let us look at the opening words of the treaty with Great Britain in 1783, 217 years ago, providing for the complete independence of the American states and acknowledgment by Great Britain: "In the name of the Most Holy and Undivided Trinity. It having pleased the Divine Providence to dispose the hearts of the most serene and most potent Prince George III, by the grace of God. . . ."

The foregoing extracts, and others, from American historical documents are sufficient to impress us with the fact that religious conviction permeated the blood stream of American Constitutionalism and American statecraft as far back as 200 years prior to the writing of the Constitution in 1787.

Now let us examine the first inaugural address of George Washington, 1789, who had been chairman of the convention which framed the Constitution. Here is the greatest President we have ever had. A few extracts therefrom will leave no doubt as to where the Nation's first President stood when it came to religious expression in matters pertaining to Government: ". . . it would be peculiarly improper to omit, in this first official act, my fervent supplications to that Almighty Being who rules over the Universe, who presides in the councils of nations, and whose providential aids can supply every human defect, that His benediction may consecrate to the liberties and happiness of the people of the United States a government instituted by themselves for these essential purposes, and may enable every instrument employed in its administration to execute with success the functions allotted to His charge. In tendering this homage to the great Author of every public and private good, I assure myself that it expresses your sentiments not less than my own; nor those of my fellow citizens at large less than either. No people can be bound to acknowledge and adore the Invisible Hand which conducts the affairs of men more than the people of the United States. Every step by which they have advanced to the character of an independent nation, seems to have been distinguished by some token of providential agency."

That is George Washington, the father of our country, the commander in chief at Valley Forge, the presiding officer of the Constitutional Convention, first President of the United States and the best by any measure, by any standard. He had no hesitancy in speaking of that invisible hand that guides the Nation. If he were alive today and a Member of this Senate or a Member of the Supreme Court or President of the United States again. How clear, how incisive, and how powerful were these allusions to God by our first and greatest President!

Further expressions by George Washington in that same inaugural address were indicative of an unabashed religious faith:

Since we ought to be no less persuaded that the propitious smiles of heaven can never be expected on a nation that disregards the eternal rules of order and right, which heaven itself has ordained; . . . ; I shall take my present leave, but not without resorting once more to the benign Parent of the human race, in humble supplication, that, since He has been pleased to favor the American people with opportunities for deliberating in perfect tranquility . . . ; . . . so His divine blessing may be equally conspicuous in the enlarged views, the tempera-

ment consultations and the wise measures, on which the success of this government must depend.

There you have it.

Having quoted from Washington's first inaugural address, now let me quote briefly from Lincoln's first inaugural address—no hesitation here about calling upon—no hesitancy here about calling upon the Creator: "If the Almighty Ruler of Nations—he is not talking about King George III—with His eternal truth and justice, be on your side of the North, or on yours of the South, that truth and that justice will surely prevail by the judgment of this great tribunal of the American people . . . ; Intelligence, patriotism, Christianity, and a firm reliance on Him who has never yet forsaken this favored land are still competent to adjust in the best way all our present difficulty."

Issuing the Emancipation Proclamation in 1863, Lincoln closed his remarks with these words: "And upon this act, sincerely believed to be an act of justice, warranted by the Constitution, upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God." That is Abraham Lincoln.

Lincoln, in his second inaugural address, rises to a rare pitch of eloquence, marked by a singular combination of tenderness and determination:

If we shall suppose that American slavery is one of those offenses which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both North and South this terrible war, as the woe due to those by whom the offense came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope—fervently do we pray—that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondsman's 250 years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with a sword, as was said three thousand years ago, so still it must be said: "The judgments of the Lord are true and righteous altogether."

Now hear that, Supreme Court of the United States. Hear those words by Abraham Lincoln.

Lincoln then went on to say those words with which we all are so familiar: "With malice towards none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds; to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and cherish just and lasting peace among ourselves and with all nations."

How can one read and reflect upon these clear and unrestrained references to Almighty God expressed by our nation's two greatest Presidents—Washington and Lincoln—and hold any doubt whatsoever as to the impact of religion upon the thoughts, the character, and the lives of the two greatest statesmen America has ever produced?

And yet, the Supreme Court in recent years, in majority opinions, has not scrupled to bow to materialism in the Court's rulings concerning voluntary prayer in public school settings!

A further examination of the inaugural addresses of the Presidents finds John Adams, the second President, closing his inaugural address with the following invocation:

And may that Being who is supreme over all, the Patron of Order, the Fountain of Justice, and the Protector in all ages of the world of virtuous liberty, continue His blessing upon this nation and its government and give it all possible success and duration consistent with the ends of His providence.

Thomas Jefferson's closing words in his second inaugural address were these:

I shall need, too, the favor of that Being in whose hands we are, who led our fathers, as Israel of old, from their native land and planted them in a country flowing with all the necessities and comforts of life; who has covered our infancy with His providence and our riper years with His wisdom and power, and to whose goodness I ask you to join in supplications with me that He will so enlighten the minds of your servants, guide their councils, and prosper their measures that whatsoever they do shall result in your good, and shall secure to you the peace, friendship, and approbation of all nations.

James Madison, the chief author of our Constitution, showed no hesitancy in expressing his dependence upon Providence:

My confidence will under every difficulty be best placed, next to that which we have all been encouraged to feel in the guardianship and guidance of that Almighty Being whose power regulates the destiny of nations, whose blessings have been so conspicuously dispensed to this rising Republic, and to whom we are bound to address our devout gratitude for the past, as well as our fervent supplications and best hopes for the future.

Having quoted from the inaugural addresses of our country's first four Presidents, I shall now recall to my fellow Senators references to God in the inaugural addresses of four Presidents in the current 20th century. I begin with William Howard Taft who, subsequent to having served as President, fulfilled a lifelong dream in 1921 when he was sworn in as Chief Justice of the United States. He ended his inaugural address with these words:

I invoke the considerate sympathy and support of my fellow citizens and the aid of the Almighty God in the discharge of my responsible duties.

Franklin D. Roosevelt refers to the Supreme Being in each of his inaugural addresses, but I shall quote only from the fourth and last:

The Almighty God has blessed our land in many ways. He has given our people stout hearts and strong arms with which to strike mighty blows for freedom and truth. He has given to our country a faith which has become the hope of all peoples in an anguished world.

So we pray to Him now for the vision to see our way clearly—to see the way that leads to a better life for ourselves and for all our fellow men—to the achievement of His will, to peace on earth.

Dwight D. Eisenhower, who had been Supreme Commander of Allied Forces

in Europe during World War II, and had served as Supreme Commander of NATO, took the oath of office as President using both George Washington's Bible and one given to him by his mother at his graduation from the Military Academy at West Point.

Many of us remember his prayer at the beginning of his first inaugural address:

Almighty God, as we stand here at this moment my future associates in the executive branch of government join me in beseeching that Thou will make full and complete our dedication to the service of the people in this throng, and their fellow citizens everywhere.

Give us, we pray, the power to discern clearly right from wrong, and allow all our words and actions to be governed thereby, and by the laws of this land. Especially we pray that our concern shall be for all the people regardless of station, race, or calling.

May cooperation be permitted and be the mutual aim of those who, under the concepts of our Constitution, hold to differing political faiths; so that all may work for the good of our beloved country and Thy glory. Amen.

Dwight D. Eisenhower led the Nation in prayer himself.

Eisenhower's was the first prayer to be uttered by a President in his inaugural address to the nation, but it was not to be the last. President Reagan, in his second inaugural address, began his inaugural address with a silent prayer:

I wonder if we could all join in a moment of silent prayer. [Moment of silent prayer.] Amen.

George Bush, after taking the oath with his hand placed on George Washington's Bible, began his presidency with a prayer:

And my first act as President is a prayer. I ask you to bow your heads:

Heavenly father, we bow our heads and thank You for Your love. Accept our thanks for the peace that yields this day and the shared faith that makes its continuance likely. Make us strong to do Your work, willing to heed and hear Your will, and write on our hearts these words: 'Use power to help people.' For we are given power not to advance our own purposes, nor to make a great show in the world, nor a name. There is but one just use of power, and it is to serve people. Help us to remember it, Lord. Amen.

That was George Bush.

I have a reason for quoting from these great American documents and for these inaugural and other addresses by some of our Presidents. There have been other Presidents whom I could have quoted.

All of these references to religious faith that I have quoted from early American documents and from inaugural addresses by Presidents bear witness to the fact that a strong spiritual consciousness has pervaded the fabric of American statecraft and American Constitutionalism for two centuries prior to the writing of the U.S. Constitution and for these two centuries following that event.

Mr. President, the Framers of the Constitution, the voters who ratified that Constitution, the members of the First Congress who supported the first amendment to the Constitution, and the people in the states who ratified the First Amendment, would be aghast

at the interpretations of the First Amendment clause by U.S. Supreme Court rulings concerning prayer in the public schools of America. I say that those rulings are having the effect of "prohibiting the free exercise" of religion. The court has drifted too far from the shore.

I lauded the six members of the Supreme Court whose votes declared the Line Item Veto Act of 1995 to be unconstitutional. But the Court's majority has adopted a dangerous trend in case after case concerning the free exercise of religion in the public schools. The situation has become so bad that most school boards frown upon the use of God's name by teachers or students for fear of being hit with a costly law suit. I have had that happen right in West Virginia, and just within the last year. Consequently, God is being driven out of the public schools completely. I shudder to think that what we put into the schools will, in a generation, dominate the nation, and what we drop from the schools will, in a generation, leave the nation. Can it be said, therefore, that the U.S. Supreme Court is heading us down the road to becoming a godless nation?

The opponents of voluntary prayer in schools are quick to say that the place for prayer is in the home—and it is—and not in the schoolroom. This argument portrays an amazing ignorance of the religious awareness that has been the underpinning of our Republic from its earliest beginnings. Prayer in the public schools was prevalent in our country until the courts began to whittle away at this tradition in recent years. So, we are told that there is no place for God in the schoolroom.

It must be confusing to the child who is taught by parents at bedtime to repeat the words: "Now I lay me down to sleep, I pray the Lord my soul to keep; if I should die before I wake, I pray the Lord my soul to take", but if the same child mentions the Lord's name in school, the teacher feels it necessary to say "shuh, we must not mention the Lord's name in school."

At home and at the breakfast table, America's children are taught to say: "God is great, God is good, and we thank Him for this food; by His goodness all are fed, give us Lord our daily bread," but in the schoolroom at lunchtime, the children must not say grace over the food. That might offend someone. Hence, the home and the school are at war with each other today.

I wonder if the high court is aware of the chaos that it is creating in the schools of the country? School administrators are caught in a bind. I wonder if the court is aware of the harm that it is doing to the nation when it strongly enforces the first half of the religious clause while it shows a dangerous bias against the second half of the same clause? Isn't it about time that the Supreme Court demonstrates an equal balance in its interpretation of the first sentence of the First

Amendment to the Constitution? It seems to me that the court is drifting farther and farther to the left of center in its drift towards materialism and radical secularism as its opinions serve more and more to inhibit any display of religious belief by the nation's school children. In an effort to ensure a tolerance for all beliefs, the courts are bending too far, in effect, establishing an environment of intolerance rather than tolerance.

Mr. President, we rail, and moan, and gnash our teeth, and wring our hands as we see more and more violence in our schools and a general decline in morals throughout the nation. Is it any wonder? Our nation's leaders are no longer paragons of rectitude. Don't point to them as being the idols of our youth. The institution of marriage is crumbling; the church, more and more, refrains from speaking out boldly on the great moral issues of the day; and God is being driven from the classrooms of our nation's schools by the U.S. Supreme Court's decisions that favor secularism, materialism, and the stifling of any voluntary and free exercise of religion in the public schools. Is it any wonder that more and more parents are determined to send their children to private schools and to religious schools?

Mr. President, George Washington, the Father of our country, our first President, bequeathed to us a clear vision of the importance of religion to morality in our national life, when he said, in his farewell address to the nation in September, 1796: "Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, George Washington said, where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigations in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. It can't be done. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle." I hope the Supreme Court will review those words by our first president, the man who presided over the Constitutional Convention in 1787.

Mr. President, it is not an idle reflection if, while discussing the issue of prayer in the public schools, we contemplate the profundity of Benjamin Franklin's words to the Constitutional Convention on June 28, 1787, when he

made a sobering suggestion that brought the assembly of doubting minds "to a realization that destiny herself sat as guest and witness in this room." The weather had been hot, and the delegates to the Convention were tired and edgy. The debates were seemingly getting nowhere and a melancholy cloud seemed to hover over the Convention. Little progress was being made, and the prevailing winds were those of discouragement, dissension, and despair, when old Dr. Franklin, sitting with the famous double spectacles low on his nose, broke silence; he had said little during these past days. Addressing himself to George Washington in the chair, Franklin, according to Catherine Drinker Bowen, in her book, "Miracle at Philadelphia," reminded the Convention how, at the beginning of the war with England, the Continental Congress had had prayers for Divine protection, and in this very room. "Our prayers, Sir, were heard," said Franklin, "and they were graciously answered. All of us who were engaged in the struggle must have observed frequent instances of a Superintending providence in our favor. To that kind Providence we owe this happy opportunity of consulting in peace on the means of establishing our future national felicity. And have we now forgotten that powerful friend? I have lived, Sir, a long time, and the longer I live, the more convincing proofs I see of this truth—that God governs in the affairs of men."

Bowen, in her magnificent story of the Constitutional Convention, goes on to say that on Dr. Franklin's manuscript of his little speech, "the word God is twice underscored, perhaps as indication to the printer. But whether or no Franklin looked upon the Deity as worthy of three capital letters, his speech was timely." You will read this same speech in Madison's notes.

"If a sparrow cannot fall to the ground unseen by Him," Franklin continued, "was it probable that an empire could arise without his aid? 'I firmly believe this, and I also believe that without his concurring aid we shall succeed in this political building no better than the builders of Babel.'" Franklin proposed that "henceforth prayers imploring the assistance of heaven and its blessings on our deliberations, be held in this Assembly every morning before we proceed to business, and that one or more of the clergy of this city be requested to officiate in that service."

Roger Sherman at once seconded Franklin's motion. Incidentally, on yesterday, July 16, 1787, the convention adopted the great compromise, without which none of us would be here today. That compromise established two bodies in the legislative branch and provided that each State would be equal in this branch, that we would have votes in this branch. I won't go further, but you might recall it was only yesterday.

But Hamilton and several others, wrote Madison, feared that calling in a

clergymen at so late a stage might lead the public to suspect dissensions in the Convention. Williamson of North Carolina made the frank statement that everyone knew the real reason for not engaging a chaplain: the Convention had no funds. Franklin's motion failed, though Randolph proposed that on the approaching Fourth of July, a sermon be preached at the request of the Convention and that thenceforth prayers be used. In any event, we can all learn a lesson from this episode: God was very much a part of national life at a time when the greatest document of its kind—the Constitution of the United States—was ever written, a time when it was being formed.

Mr. President, I close with words from the Bible, which Franklin aptly used in his speech: "Except the Lord build the house, they labor in vain that build it; except the Lord keep the city, the watchman waketh but in vain."

It would be well, Mr. President, if this Biblical admonition were kept in mind as future cases concerning school prayer come before the courts of the land.

As a matter of fact, this admonition is one on which all three branches of government should reflect. We here in the legislative branch bear some responsibility. Here is where laws are made, and here is where some positive steps could originate on a path toward correcting a court imposed imbalance. The executive branch, too, could play some useful role in that regard. This being an election year, I urge that the Democratic and Republican political Conventions adopt planks—why not—in their respective platforms advocating a Constitutional amendment concerning prayer in schools. Both the Democratic and Republican nominees for President should be urged to support such an amendment.

Both nominees should be urged to speak out on this subject during the campaigns. I intend to urge that both nominees do that.

I thank all Senators and I yield the floor.

Mr. HOLLINGS. I see the distinguished Senator from Colorado is supposed to take over the time. I ask unanimous consent to be yielded 5 minutes.

The PRESIDING OFFICER (Mr. KYL). Under the previous order, the Senator from Wyoming, Mr. THOMAS, or his designee, has from 2 o'clock until 3 p.m.

Does the Senator from Colorado wish to respond to the Senator from South Carolina?

Mr. ALLARD. I am willing to grant the Senator from South Carolina 5 minutes.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

#### THE DEBT AND TAX CUTS

Mr. HOLLINGS. Mr. President, in response to my amendment relative to eliminating the tax cut, I ask unanimous consent that my comments of